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9 Attorneys for Defendants Rural/Metro Fire Dept., Inc.,  
10 Grant Reed and Brittany Reed

11 **IN THE UNITED STATES DISTRICT COURT**  
12 **FOR THE DISTRICT OF ARIZONA**

13 Robert Steven Cutler, individually and as  
14 Administrator of the Estate of David A. Cutler,  
15 deceased, on behalf of himself and on behalf of  
16 all beneficiaries of the Estate of David A.  
Cutler, deceased, and Renee Luddington Cutler,

17 Plaintiffs,

18 vs.

19 Mark D. Napier, Sheriff of Pima County,  
20 Arizona, in his official capacity; Rural/Metro  
21 Fire Dept., Inc., an Arizona for profit  
corporation, Keith Barnes and Jane Doe Barnes,  
22 his spouse, Grand Reed and Brittany Reed,

23 Defendants.

24  
25  
26 No. 18-CV-00383-TUC-FRZ

**DEFENDANTS RURAL/METRO  
FIRE DEPT., INC., GRANT REED  
AND BRITTANY REED'S  
STATEMENT OF FACTS IN  
SUPPORT OF THEIR MOTION  
FOR SUMMARY JUDGMENT RE:  
NEGLIGENCE CLAIM – HARO  
EXPERT TESTIMONY  
PRECLUSION**

**(Assigned to the Honorable  
Frank R. Zapata)**

1 Defendants, Rural/Metro First Dept., Inc., Grant and Brittany Reed (collectively  
2 “RM”), respectfully submit this Statement of Facts in support of their Motion for  
3 Summary Judgment RE: Negligence Claim – Haro Expert Testimony Preclusion.

4 **STATEMENT OF FACTS**

5 1. Plaintiff has disclosed Guillermo Haro as a paramedic standard of care  
6 expert. *See Exhibit A*, Guillermo Haro’s Supplemental Expert Report (Haro000006-  
7 000015).

8 2. Guillermo Haro retired as a paramedic from the Glendale Fire Department  
9 in September of 2006. *See Exhibit B*, Deposition of Guillermo Haro at p. 20, ln. 6 – p.  
10 21, ln. 7.

11 3. During the year preceding the incident in question, Guillermo Haro was a  
12 part-time employee for Paradise Valley Community College where he taught on average  
13 6.15 hours per week. *See Exhibit C*, relevant documentation from PVCC (CUTLER/RM  
14 0815-0816 and CUTLER/RM 0833).

15 4. His annual income from teaching for the period 06/05/16 through 06/05/17  
16 was \$8,442.90 (295 hours @ the hourly rate of \$28.62). *See Exhibit D*, 2016-2017 W2s  
17 and timesheets (CUTLER/RM 0815-0816 and CUTLER/RM 0873-0874).

18 5. Guillermo Haro was the lead instructor for a course in pathophysiology that  
19 he taught once per year for a period of 3 eight-hour days. *See Exhibit B* at p. 67, ln. 20  
20 – p. 68, ln. 13.

21 6. Guillermo Haro is identified by PVCC as a temporary worker and since  
22 2004 has held the titles of EMT Temp and Paramedic Class Lab Tutor. *See Exhibit E*,  
23 relevant documentation from PVCC (CUTLER/RM 0833, CUTLER/RM 0824-0825 and  
24 CUTLER/RM 0828-0829).

25 7. Guillermo Haro has not published any scholarly articles or books. *See*  
26 *Exhibit B* at p. 54, ln. 19 – p. 55, ln. 1 and p. 172, lns. 3-8.

8. Guillermo Haro admits that during the year preceding the incident in this case, he was also working with the EPIC Traumatic Brain Injury Project through the University of Arizona. *See Exhibit B at p. 68, ln. 24 – p. 69, ln. 10.*

9. This project did not involve teaching students but was a training course for fire departments and emergency room departments throughout the State of Arizona. *See* Exhibit B at p. 131, ln. 19 – p. 132, ln. 5.

10. In 2018, Guillermo Haro admits that his income for work on the EPIC project was \$8,800. *See Exhibit B at p. 69, lns. 15-20.*

RESPECTFULLY SUBMITTED this 3<sup>rd</sup> day of September, 2020.

## SATTERLEE GIBBS PLLC

By: /s/ Scott Reynolds

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## **CERTIFICATE OF SERVICE**

I hereby certify that on September 3, 2020, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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